

From: [Emily Yoder](#)
To: ["Brian Bardwell"](#)
Cc: [Mike Ockerman](#)
Subject: Criscione v. DiVincenzo
Date: Thursday, August 7, 2025 8:56:00 AM
Attachments: [HCPDOCS-#1412194-v1-Criscione v DiVincenzo - Joint Stipulation re Discovery Matters.doc](#)

Brian:

I reviewed the discovery motions that were filed in the refiled state court case. I think all of the discovery matters were resolved except the production of the financial information, which relate only to the punitive damage claim. That being said, I think a stay of discovery is appropriate, pending dispositive motion briefing and ruling. I've attached a draft stipulation for your review. Let me know if you are agreeable.

If you believe that there are other discovery matters that are still outstanding, let me know. We will certainly consider including specific discovery items in the stipulation if you think that such information is necessary for dispositive motion briefing.

Thanks,

Emily

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DEFENDANT'S EXHIBIT

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

GINA CRISCIONE, et al.)	CASE NO. 1:24-CV-01446
)	
Plaintiffs)	JUDGE PAMELA A. BARKER
)	
vs.)	
)	<u>JOINT STIPULATION CONCERNING</u>
LAURA DiVINCENZO, et al.)	<u>DISCOVERY MATTERS</u>
)	
Defendants)	

Plaintiffs Gina Criscione and Estate of Dorothy Mandanici and Defendants East Park Retirement Community, Inc., Laura DiVincenzo and Sara Thurmer hereby agree and stipulate as follows:

- A discovery stay in this case is appropriate and should be granted pending briefing and ruling on dispositive motions. The parties agree that Defendants shall have until August 25, 2025 to file any dispositive motions. Upon determination of any such motions, the parties, or the Court if the parties are unable to agree, will determine what, if any, additional discovery is necessary.
- Discovery previously exchanged and depositions conducted in Cuyahoga County Court of Common Pleas, Case No. CV 22 964883 and Cuyahoga County Court of Common Pleas, Case No. CV 23 976445 are incorporated herein. The parties agree and stipulate that all such discovery materials may be used in this litigation as if such discovery had been exchanged or conducted herein and that such discovery shall not be duplicated herein.

Respectfully submitted,

/s/

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Attorney for Defendants

East Park Retirement Community, Inc.,

Laura DiVincenzo and Sara Thurmer

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing *Joint Stipulation Concerning Discovery Matters* was filed electronically on August ____, 2025, with the Clerk using the CM/ECF system, which will notify all parties. Parties may access this document through the court's electronic-filing system.

/s/ Emily R. Yoder

Emily R. Yoder (0084013)
Attorney for Defendants
East Park Retirement Community, Inc.,
Laura DiVincenzo and Sara Thurmer

<<HCP #1412194-v1>>